

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

THE SOUTHERN COMPANY,

Plaintiff,

V.

DAUBEN, INC. d/b/a TEXAS  
INTERNATIONAL PROPERTY  
ASSOCIATES

Defendant.

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CIVIL ACTION NO. 3:07-CV-1690-P

## FINAL JUDGMENT & PERMANENT INJUNCTION

Pursuant to the Court's Order filed April 14, 2009, the Court issues judgment as follows:

- (1) Plaintiff The Southern Company is awarded statutory damages in the amount of \$700,000 against Defendant Dauben, Inc. d/b/a Texas International Property Associates.
- (2) Plaintiff is awarded costs of court.
- (3) Defendant and its officers, directors, agents, servants, employees, representatives, attorneys, successors-in-interest, parent corporations, affiliated companies, subsidiary corporations, and any and all persons in active concert or participation with them, directly or indirectly, are ordered to relinquish all rights, title, and interest in all domain names under their control which are confusingly similar to Southern Company Marks or to marks of its subsidiaries, including but not limited to the 14 domain names presently identified that fall within that category. Those

domain names shall be transferred to Plaintiff within thirty (30) days of this Order.


(4) Defendant and its officers, directors, agents, servants, employees, representatives, attorneys, successors-in-interest, parent corporations, affiliated companies, subsidiary corporations, and any and all persons in active concert or participation with them, directly or indirectly, are PERMANENTLY ENJOINED from:

1. Registering, using, or trafficking in any domain names that are misspelled variations of or identical or confusingly similar to the Southern Company Mark or to any of the marks of its subsidiaries.
2. Assisting, aiding or abetting any other person or business entity in engaging in or performing any of the activities referred to in paragraph 1 above.
3. The Court retains jurisdiction of this case to enforce the permanent injunction.

(5) The statutory damages award will carry post-judgment interest in the amount of 0.58% per annum.

**IT IS SO ORDERED.**

Signed this 14<sup>th</sup> day of April, 2009.

  
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JORGE A. SOLIS  
UNITED STATES DISTRICT JUDGE